actify this to be a true and consect actify this to be approper decreased as missing the committee.

Durch Clays of With Danse

FILED MAR 13 1997

HB. No. 3060

By Macy O.

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A BILL TO BE ENTITLED

AN ACT

2 relating to recording of proceedings in a county court at law in 3 Medina County. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Section 25.1652, Government Code, is amended by 5 adding Subsection (j) to read as follows: 6 7 (j) A judge of a county court at law may provide that any 8 criminal proceeding in the county court at law be recorded by a 9 good quality electronic recording device instead of by a court 10 reporter unless, on written motion filed with the court not later than the 10th day before the trial, the defendant requests that a 11 court reporter be present. If a recording device is used, the 12 13 court reporter need not be present at the proceeding to certify the 14 statement of facts. 15 SECTION 2. The importance of this legislation and 16 crowded condition of the calendars in both houses create an and 17 emergency imperative an public necessity that the 18 constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, 19

passage, and it is so enacted.

and that this Act take effect and be in force from and after its

HOUSE COMMITTEE REPORT

1st Printing

By King

H.B. No. 3060

A BILL TO BE ENTITLED

	7.33 A C/M
1	AN ACT
2	relating to recording of proceedings in a county court at law in
3	Medina County.
4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
5	SECTION 1. Section 25.1652, Government Code, is amended by
6	adding Subsection (j) to read as follows:
7	(j) A judge of a county court at law may provide that any
8	criminal proceeding in the county court at law be recorded by a
9	good quality electronic recording device instead of by a court
10	reporter unless, on written motion filed with the court not later
11	than the 10th day before the trial, the defendant requests that a
12	court reporter be present. If a recording device is used, the
13	court reporter need not be present at the proceeding to certify the
14	statement of facts.
15	SECTION 2. The importance of this legislation and the
16	crowded condition of the calendars in both houses create an
17	emergency and an imperative public necessity that the
18	constitutional rule requiring bills to be read on three several
18 19	days in each house be suspended, and this rule is hereby suspended,

passage, and it is so enacted.

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COMMITTEE REPORT

The Honorable James E. "Pete" Laney Speaker of the House of Representatives

2 absent

April 16, 1997 (date)

Sir:			
We, your COMMITTEE ON	I JUDICIAL AFFAIRS		
to whom was referred back with the recommenda	HB 3060	have had the same under consider	deration and beg to repo
 (XX) do pass, without amer () do pass, with amendm () do pass and be not pri 	nent(s).	e Substitute is recommended in lieu of the	e original measure.
(X) yes () no A fisca	I note was requested.		onga. mododio.
	inal justice policy impact state	ement was requested.	
		npact statement was requested.	
	uarial analysis was requested		
	r development policy impact		
() yes (x) no A tax e		•	
(X) The Committee recommittee	mends that this measure be	sent to the Committee on Local and Cons	sent Calendars.
	use Sponsor		
The measure was reported	from Committee by the follow	wing vote:	
	AYE	NAY PNV	ABSENT
Thompson, Chair			X
Hartnett, Vice-chair	X		
Clark	X		
Crabb			Х
Garcia	X		
Luna	X		
Shields	X		
Solis	X		
Zbranek	X		
Tatal			
Total7	aye	$f \in \mathbb{Q}$	
0	nay	Henfrom the	mpson
0	present, not voting	CHAIR	V

BILL ANALYSIS

JUDICIAL AFFAIRS
H.B. 3060
By: King
4-16-97
Committee Report (Unamended)

BACKGROUND

The Texas Supreme Court granted its permission for the Medina County Court at Law to electronically record civil proceedings after July 7, 1995, and has reported that these proceedings have successfully been recorded thus far. The Medina County Court at Law owns a high quality recording system and has reported substantial savings to Medina County.

The Texas Court of Criminal Appeals has granted its permission for criminal proceedings to be electronically recorded by several counties across the state; however, permission to record criminal matters has yet to be granted for the Medina County Court at Law. As a result, the Medina County Court at Law has been required to sporadically use independently contracted court reporters at a high cost to the county.

The Medina County Commissioner's Court unanimously voted in favor of a resolution requesting legislation which would allow the Medina County Court at Law to electronically record criminal proceedings. This Act would save Medina County an estimated \$5,000 per year.

PURPOSE

H.B. 3060 allows the Medina County Court at Law to electronically record all criminal proceedings without first obtaining permission to do so from the Texas Court of Criminal Appeals.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency or institution.

SECTION BY SECTION ANALYSIS

SECTION 1 amends Section 25.1652, Government Code, by adding Subsection (j) which states that a judge of a county court may provide that any criminal proceeding may be recorded by a high quality electronic recording device. The defendant may file a written motion ten days or more in advance of the trial to request that a court reporter be present. A court reporter does not need to be present to certify the statement of facts if an electronic recording device is used.

SECTION 2. Emergency clause. Effective date.

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE 75th Regular Session

April 15, 1997

To:

Honorable Senfronia Thompson, Chair

Committee on Judicial Affairs

House

Austin, Texas

IN RE: House Bill No. 3060

By: King

From: John Keel, Director

In response to your request for a Fiscal Note on HB3060 (Relating to recording of proceedings in a county court at law in Medina County.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by HB3060-As Introduced

No fiscal implication to the State is anticipated.

No fiscal implication to units of local government is anticipated.

Source:

Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, PE, DC

Page 10.	The Hondo Anvil	Herald,	Thursday,	Febru
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This is to give notice of intent to introduce in the 75th Legislature, Regular Session, a bill to be entitled an Act relating to the use of electronic recording devices in some criminal proceedings in the county court of Medina County.

Pub. Feb. 6, 1997

Hondo Anvil Herald

P.O. Box 400, Hondo, Texas 78861

PUBLISHER'S AFFIDAVIT

The State of Texas) County of Medina)

Before me, the undersigned authority, on this day did personally appear Frances Guinn, a person known to me, who on her oath stated:

That she is the Editor of the Hondo Anvil Herald, a newspaper published in Medina County, Texas, and which newspaper is of general circulation and has been published for more than twelve (12) months prior to the insertion of the attached notice, and

That she knows the facts stated in this affidavit.

That the attached printed matter is a true and correct copy of the publication of the notice of which it purports to be a true copy, as the same appeared in such newspaper in the respective issues of:

tel 6,47
and That the charge of such news-
paper being \$

Subscribed and sworn to before me

on this the

Notary Public Medina County, Texas

LEGAL NOTICE

This is to give notice of intent to introduce in the 75th Legislature, Regular Session, a bill to be entitled an Act relating to the use of electronic recording devices in some criminal proceedings in the county court of Medina County. Pub. Feb. 6, 1997



WITNESS LIST

HB 3060 HOUSE COMMITTEE REPORT Judicial Affairs Committee

April 16, 1997 - 2:00P

For: Jdg Watt Murrah (Cty Ct Jdg/Medina Cty)

Rep. Tracy King (self)

SUMMARY OF COMMITTEE ACTION

HB 3060

April 16, 1997 2:00PM
Considered in public hearing
Testimony taken in committee
Recommended to be sent to Local & Consent
Reported favorably without amendment(s)

HOUSE ENGROSSMENT

By King

H.B. No. 3060

A BILL TO BE ENTITLED

1	AN ACT
2	relating to recording of proceedings in a county court at law in
3	Medina County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.1652, Government Code, is amended by adding Subsection (j) to read as follows:

(j) A judge of a county court at law may provide that any criminal proceeding in the county court at law be recorded by a good quality electronic recording device instead of by a court reporter unless, on written motion filed with the court not later than the 10th day before the trial, the defendant requests that a court reporter be present. If a recording device is used, the court reporter need not be present at the proceeding to certify the statement of facts.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

By: King (Senate Sponsor - Madla)

(In the Senate - Received from the House May 5, 1997;

May 6, 1997, read first time and referred to Committee on

Jurisprudence; May 13, 1997, reported favorably by the following

vote: Yeas 7, Nays 0; May 13, 1997, sent to printer.)

A BILL TO BE ENTITLED AN ACT

relating to recording of proceedings in a county court at law in Medina County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.1652, Government Code, is amended by adding Subsection (j) to read as follows:

(j) A judge of a county court at law may provide that any criminal proceeding in the county court at law be recorded by a good quality electronic recording device instead of by a court reporter unless, on written motion filed with the court not later than the 10th day before the trial, the defendant requests that a court reporter be present. If a recording device is used, the court reporter need not be present at the proceeding to certify the statement of facts.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

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FAVORABLE SENATE COMMITTEE REPORT ON

SB	SCR	SJR	SR (HB)	HCR	HJR	3060
		R _v	M	ADLA	a _	
	By MADLA (Author/Senate Sponsor)					
			MAY	1.13,	199	7
			7	(date)		

We, your Committee on	JURISPRUDENCE	, to which was referred the attached measure,
have on MAY 12, (date of her back with the recommendation (s)	aring)	me under consideration and I am instructed to report it
od do pass and be printed		
() do pass and be ordered not pri	nted	
(and is recommended for placer	nent on the Local and Unco	ntested Bills Calendar.
A fiscal note was requested.	(v) yes () no	
A revised fiscal note was requeste	d. () yes (Yno	
An actuarial analysis was request	ed. () yes Wno	
Considered by subcommittee.	() yes () no	
The measure was reported from C	ommittee by the following v	vote:

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COMMITTEE ACTION

S260 Considered in public hearing S270 Testimony taken

COMMITTEE CLERK

CHAIRMAN TO

Paper clip the original and one copy of this signed form to the original bill Retain one copy of this form for Committee files

BILL ANALYSIS

Senate Research Center

H.B. 3060 By: King (Madla) Jurisprudence 5-8-97 Engrossed

DIGEST

The Texas Supreme Court granted its permission to the Medina County Court at Law to electronically record civil proceedings after July 7, 1995. The Medina County Court at Law has recorded civil proceeding since that time and has reported substantial savings. The Texas Court of Criminal Appeals has granted its permission for criminal proceedings to be electronically recorded to several counties across the state. The Texas Court of Criminal Appeals has yet to grant permission to record criminal matters to the Medina County Court at Law. The Medina County Court at Law has been required to sporadically use independently contracted court reporters at a high cost to the county. The Medina County Commissioners Court unanimously voted in favor of a resolution requesting legislation which would allow the Medina County Court at Law to electronically record criminal proceedings. Such legislation would save Medina County an estimated \$5,000 per year. This bill would authorize the Medina County Court at Law to electronically record all criminal proceedings without first obtaining permission to do so from the Texas Court of Criminal Appeals.

PURPOSE

As proposed, H.B. 3060 authorizes the Medina County Court at Law to electronically record all criminal proceedings without first obtaining permission to do so from the Texas Court of Criminal Appeals.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 25.1652, Government Code, by adding Subsection (j), to authorize a judge of a county court at law in Medina County to provide that any criminal proceeding in the county court at law be recorded by a good quality electronic recording device instead of by a court reporter unless, on written motion filed with the court no later than the 10th day before the trial, the defendant requests that a court reporter be present. Provides that if a recording device is used, the court reporter need not be present at the proceeding to certify the statement of facts.

SECTION 2. Emergency clause.

Effective date: upon passage.

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE 75th Regular Session

May 8, 1997

To:

Honorable Rodney Ellis, Chair

Committee on Jurisprudence

Senate

Austin, Texas

IN RE: House Bill No. 3060, As

Engrossed

By: King

From: John Keel, Director

In response to your request for a Fiscal Note on HB3060 (Relating to recording of proceedings in a county court at law in Medina County.) this office has determined the following:

Biennial Net Impact to General Revenue Funds by HB3060-As Engrossed

No fiscal implication to the State is anticipated.

No fiscal implication to units of local government is anticipated.

Source:

Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, BB, PE, DC

LEGISLATIVE BUDGET BOARD Austin, Texas

FISCAL NOTE 75th Regular Session

April 15, 1997

To:

Honorable Senfronia Thompson, Chair

Committee on Judicial Affairs

House

Austin, Texas

IN RE: House Bill No. 3060

By: King

From: John Keel, Director

In response to your request for a Fiscal Note on HB3060 (Relating to recording of proceedings in a county court at law in Medina County.) this office has determined the following:

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No fiscal implication to units of local government is anticipated.

Source:

Agencies: 304 Comptroller of Public Accounts

LBB Staff: JK, PE, DC

hursday, Februa

Hondo Anvil Herald

P.O. Box 400, Hondo, Texas 78861

PUBLISHER'S AFFIDAVIT

The State of Texas) County of Medina)

Before me, the undersigned authority, on this day did personally appear Frances Guinn, a person known to me, who on her oath stated:

That she is the Editor of the Hondo Anvil Herald, a newspaper published in Medina County, Texas, and which newspaper is of general circulation and has been published for more than twelve (12) months prior to the insertion of the attached notice, and

That she knows the facts stated in this affidavit.

That the attached printed matter is a true and correct copy of the publication of the notice of which it purports to be a true copy, as the same appeared in such newspaper in the respective issues of:

and That the charge of such newspaper being \$_ Frances Guinn, Editor Subscribed and sworn to before me

on this the _

Notary Public

Medina County, Texas

LEGAL NOTICE

This is to give notice of intent to introduce in the 75th Legislature, Regular Session, a bill to be entitled an Act relating to the use of electronic recording devices in some criminal proceedings in the county court of Medina County. Pub. Feb. 6, 1997

REQUEST FOR LOCAL & UNCONTESTED CALENDAR PLACEMENT

SENATOR CHRIS HARRIS, CHAIRMAN

SENATE COMMITTEE ON ADMINI	STRATION			
Notice is hereby given that HE	3060		DLA	
	(Bill No.)	(1	Author/Sponsor)	
was heard by the	PUDENCE	Committee on	May 12	, 1997
and reported out with the recommend	lation that it be placed	d on the Local and Unco	ntested Calenda	r.

(Clerk of the reporting committee)

IMPORTANT: A COPY OF THIS FORM AND TENTED SEPTES OF YOUR BILL/RESOLUTION (COMMITTEE PRINTED VERSION) MUST BE DELIVERED TO THE ADMINISTRATION COMMITTEE OFFICE, E1.714. DEADLINES FOR SUBMITTING BILLS WILL BE ANNOUNCED ON A REGULAR BASIS.

ENROLLED

H.B. No. 3060

1 AN ACT

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relating to recording of proceedings in a county court at law in Medina County.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 25.1652, Government Code, is amended by adding Subsection (j) to read as follows:

(j) A judge of a county court at law may provide that any criminal proceeding in the county court at law be recorded by a good quality electronic recording device instead of by a court reporter unless, on written motion filed with the court not later than the 10th day before the trial, the defendant requests that a court reporter be present. If a recording device is used, the court reporter need not be present at the proceeding to certify the statement of facts.

this SECTION 2. The importance of legislation and crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after passage, and it is so enacted.

H.B. No. 3060

Preside	nt of the Senate	Speaker of the House
I ce	rtify that H.B. No	o. 3060 was passed by the House on May
2, 1997, by	the following vote	e: Yeas 142, Nays 0, 2 present, not
voting.		
		Chief Clerk of the House
I ce	rtify that H.B. No	. 3060 was passed by the Senate on May
19, 1997, by	y the following vot	te: Yeas 31, Nays 0.
		:
		Secretary of the Senate
APPROVED:		
	Date	
-		
	Governor	

Presider	it of the Senate	Speaker of the House
I cert	tify that H.B. No. 30	262 was passed by the House
		\ - /
Yeas $\frac{142}{(3)}$,	Nays 0 2 pto	, 1997, by the following vote: Sent voting (4)
	,	
		Chief Clerk of the House
		$\frac{2}{2}$ was passed by the Senate
on May	(5)	, 1997, by the following vote: (7)
Yeas $\frac{31}{16}$,	Nays <u> </u>	(7)
(0)		(7)
		Secretary of the Senate
APPROVED:		
	Date	
_		_
	Governor	

**** Preparation: CT24;

SENT TO SENATE

75TH LEGISLATURE

COAUTHOR AUTHORIZATION
(please request your coauthors to sign this form in lieu of the front or the back of the original bill)

For chief clerk use Bill or Resolution	only Number:	16	3060

signature of primary author printed name of primary author

MAR 1 3 1997 Date

PERMISSION TO SIGN		HAS BEEN GIV	EN TO (checl	k only one of the following	g):
(b	ill or resolu		·	•	
ALL REPRESENTAT	TIVES				
THE FOLLOWING	REPRESEN	VTATIVE(S):			
		•			
		And the second s			

I authorize the Chief Clerk to	include my	name as a coauthor of the le	gislation indi	cated above:	
A2120 Alexander	Date	A2645 Cuellar	Date	A2935 Giddings	Date
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A2275 Bosse	Date	A2705 Driver	Date	A3030 Gutierrez	— Date
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A2585 Chavez	Date	A2770 Edwards	Date	A3345 Hawley	Date
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A2480 Chisum	Date	A2760 Ehrhardt	Date	A3180 Heflin	Date
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A2520 Clark	Date	A2785 Elkins	Date	A3240 Hightower	Date
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A2435 Coleman	Date	A2810 Farrar	Date	A3310 Hilbert	Date
A2565 Cook	Date	A2830 Finnell	Date	A3250 Hilderbran	Date
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A2595 Corte	Date	A2840 Flores	Date	A3275 Hill	Date
A2600 Counts	Date	A2920 Gallego	Date	A3270 Hinojosa	Date
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A2605 Crabb	Date	A2910 Galloway	Date	A3285 Hirschi	Date
A2610 Craddick	Date	A2930 Garcia	Date	A3305 Hochberg	Date

Date	A3845 McReynolds	Date	A4435 Shields	Date
Date	A3840 Merritt	Date	A4445 Siebert	Date
Date	A3850 Moffat	Date	A4525 Smith	Date
Date	A3860 Moreno	Date	A4530 Smithee	Date
Date	A3865 Mowery	Date	A4550 Solis	Date
Date	A3885 Naishtat	Date	A4505 Solomons	Date
Date	A3895 Nixon	Date	A4515 Staples	Date
Date	A3875 Oakley	Date	A4510 Stiles	Date
Date	A3880 Oliveira	Date	A4570 Swinford	Date
Date	A3886 Olivo	Date	A4585 Talton	Date
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Date	A4210 Ramsay	Date	A4990 Walker	Date
Date	A4240 Rangel	Date	A4995 West	Date
Date	A4235 Raymond	Date	A5035 Williams	Date
Date	A4245 Reyna, Arthur	Date	A5010 Williamson	Date
Date	A4236 Reyna, Elvira	Date	A5000 Wilson	Date
Date	A4260 Rhodes	Date	A5020 Wise	Date
Date	A4315 Rodriguez	Date	A5015 Wohlgemuth	Date
Date	A4320 Roman	Date	A4980 Wolens	Date
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H.B. No. 3060

MAR 1 9 1997

A BILL TO BE ENTITLED

By Stacy C. K

Relating to recording of proceedings in a county court at law in Medina County.

	_ 1 not with the Chief Clork
MAR 17 1997	Read first time and referred to Committee on
APR 1 6 1997	Reportedfavorably (as amended) (as substituted)
APR 21 1997	_ Sent to Committee on (Calendars)
•	(Local & Consent Calendars)
MAY 2 1997	Read second time (yeas, present, not voting)
	Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of yeas, present, not voting
MAY - 2 1997	Read third time (amended); finally passed (failed to pass) by a (record vote of 142 yeas, 0 nays, 2 present, not voting)
MAY 0 2 1557	_ Engrossed
MAY 0 5 1997	_ Sent to Senate Suren Curter
OTHER HOUSE ACTION	CHIEF CLERK OF THE HOUSE
MAY 0 5 1997	Received from the House
MAY 0 6 1997	Read and referred to Committee onJURISPRUDENCE
MAY 13 1997	Reported favorably
	Reported adversely, with favorable Committee Substitute; Committee Substitute read first time
	Ordered not printed
MAY 1 9 1997	Laid before the Senate
	Senate and Constitutional Rules to permit consideration suspended by (unanimous consent) (
MAY 1 9 1997	Read second time,, and passed to third reading by unanimous consent (a viva-voce vote) (a viva-voce vote) na
MAY 1 9 1997	Senate and Constitutional 3 Day Rules suspended by a vote of 31 yeas, 0 nays
MAY 1 9 1997	Read third time,, and passed by (a viva voce vote) (3 yeas, _O nays)
5-19-97	Returned to the House
OTHER SENATE AC	SECRETARY OF THE SENATE

MAY 1 9 1997	Returned from the Senate ()				
	House concurred in Senate amendments by (record vote of yeas,	a (non-record vote)nays,	present, not voti	ing)	
	House refused to concur in Senate amendments and requested the appointment of a conference committee by a (non-record vote) (record vote of				
	House conferees appointed:		Chair;	······································	
	Senate granted House request. Senate conferees appointed:, Chair,				
		,	<u> </u>		
	Conference committee report adopted (rejective (record vote of yeas,	ted) by the House b	y a (non-record voti	e) ng)	
***************************************	Conference committee report adopted (rejec (record vote of yeas,	ted) by the Senate t	by a (viva voce vote)	